

THE BOSTANY LAW FIRM PLLC

NEW JERSEY OFFICE

ONE GATEWAY CENTER  
NEWARK, NJ 07102

3 WORLD FINANCIAL CENTER

24<sup>TH</sup> FLOOR  
NEW YORK, NEW YORK 10281

FLORIDA OFFICE

1001 BRICKELL BAY DRIVE  
MIAMI, FL 33131

TEL: 212-530-4400

FAX: 212-530-4400

April 2, 2021

Hon. Naomi Reice Buchwald  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007

**RE:** *Rachel Carol Filsoof v. Andrew J. Cole*  
Docket No.: 21cv1791(NRB)

Your Honor:

I represent the plaintiff Rachel Carol Filsoof in this diversity action. Late this afternoon, my law partner Charen Kim and I reached Mr. Cole by phone. Mr. Cole confirmed that the best way to send him documents was by email at [a\\_j\\_cole@mac.com](mailto:a_j_cole@mac.com) which is the identical email address contained in the Court's March 12 and April 2 Orders.

While we were on the telephone, I emailed the Court's April 2, 2021 Order [ECF No. 17] to [a\\_j\\_cole@mac.com](mailto:a_j_cole@mac.com) and a minute or two later, Mr. Cole confirmed to us that he received it. He confirmed that he is now aware that the Order to Show Cause hearing would take place by telephone on April 6, 2021 at 11:00 pursuant to the instructions contained in the Notice. He advised that had not yet retained an attorney in this case. Charen and I both recommended several times during the call that Mr. Cole retain counsel.

Mr. Cole asked us to remind him how much Rachel was suing him for. We referred Mr. Cole to the Complaint to which he replied that he did not have it. I then emailed Mr. Cole an additional copy of the Summons and Complaint while we were on the phone with him. A minute or two later, Mr. Cole confirmed that he received the email, advised that he opened the Complaint and began reading the *ad damnum* clause to us on the telephone. Mr. Cole was arrested in New York City on March 18, 2021 for violating the February 1, 2021 Protective Order. A copy of the criminal complaint is annexed as **Exhibit A**. He was released on bail on March 22, 2021. A copy of the bail status is respectfully annexed hereto as **Exhibit B**. Inasmuch as a Rule 26(f) conference is held "as soon as practicable", we respectfully ask the Court to set a date certain for it, failing which discovery to be permitted to start pursuant to Rule 26(d).

Respectfully,

s/John P. Bostany

cc: Andrew J. Cole (by email to [a\\_j\\_cole@mac.com](mailto:a_j_cole@mac.com))